XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.A.(C) 173 सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. APPEAL (C) NO.173/2006

Single Bench : Hon'ble Shri Dhirendra Mishra, J

APPELLANTS
CLAIMANTS

1. Smt.Puna Bai, Wd/o Tiku Ram Dhruv, Aged about 45 yrs.
2. Smt. Hirmautin Bai, Wd/o Tiku Ram Dhruv, aged about 36 yrs.
3. Chhabi Lal, S/o Tiku Ram Dhruv, aged about 16 yrs.
4. Ku. Ganga, D/o Tiku Ram Dhruv, aged about 5 yrs. Appellant nos. 3 & 4 are represented by legal guardian mother Smt. Hirmautin Bai. All R/o Vill. Barbhata, P.O. Basin, Distt. Raipur (C.G.)

VERSUS

RESPONDENT
NON-APPLICANTS

1. Tej Ram Yadav, S/o Gowardhan, Yadav, R/o Torala, Post Bhuraka, P.S. Nawagaon, Distt. Raipur (C.G.)
2. Arendra Kumar Pahadia, S/o Nemichand Pahadia, R/o Sadar Bazar Nawapara, Rajim, Distt. Raipur (C.G.)
3. The Oriental Insurance Co. Ltd. By Divisional Manager, Mandal No.1, the Oriental Insurance Co. Ltd. Jail Road, Raipur, Distt. Raipur (C.G.)

Present: Mr. S.C. Verma, counsel for the appellants.

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Mrs. Chitra Shrivastava, counsel for respondent No.3/Insurance Company

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07.05.2007

Heard on M.C.P.No. 1608/2006, application for condonation of delay in filing this appeal as the same has been filed with a delay of 88 days as per office note dated 24.8.2006.

The grounds taken by the appellants for filing this appeal belatedly are that the appellants were not aware of the fact that there is any limitation for filing this appeal and did not possess sufficient fund to initiate legal proceedings after passing of the impugned award.

The reasons assigned in the application for condonation of delay cannot be considered to be a ground much less sufficient ground for condoning the delay. Even otherwise, from perusal of the impugned award it is observed that the Tribunal after assessing the income of the deceased at Rs.2,000/- per month, age of the deceased 55 years and applying multiplier of 11, has awarded a sum of Rs.1,98,000/- as compensation, which appears to be just and reasonable and in accordance with law.

In the result, M.C.P.No. 1608/2006, application for condonation of delay in filing this appeal is rejected. Consequently, the appeal also stands dismissed as barred by limitation.

Sd/-
Dhirendra Mishra
Judge

KNS